

OFFICE OF THE GENERAL COUNSEL
Division of Operations-Management

MEMORANDUM OM 03-94

July 10, 2003

TO: All Regional Directors, Officers-in-Charge,
and Resident Officers

FROM: Richard A. Siegel, Associate General Counsel

SUBJECT: Support Staff Cooperative Education Program

In response to inquiries regarding the Student Career Experience Program (Support Staff Cooperative Education Program), this memorandum updates the provisions of the program that was established on October 14, 1980 by OM 80-52. The Program may be helpful to Regions in recruiting and retaining support staff employees.

The Office of Personnel Management's (OPM) regulations provide for Student Career Experience Programs (Support Staff Cooperative Education Programs) with accredited high school, technical or vocational school, 2 year or 4 year college or university, or professional school. Since the work experience with the Agency must be related to the student's academic/career goals, use of this Program may alleviate some of the difficulty experienced in support staff recruitment.

To be eligible for this Program, the student must be taking at least a half-time academic/vocational/or technical course load. The definition of half-time is the definition provided by the school in which the student is enrolled. A student who needs to complete less than the equivalent of half an academic/vocational or technical course load immediately prior to graduating is still considered a student for purposes of this Program. Students may work full-time or part-time schedules but the student's work schedule should not interfere with the student's academic schedule. In order to be eligible for conversion, the student must, at a minimum, complete at least 640 hours or 16 weeks of career-related work, before completion of or concurrently with, the course requirements.

Students may enter the program as a GS-2, GS-3, or GS-4 depending upon his or her education and experience. Students may be promoted to the next higher grade level, up to and including GS-5, while in the program depending on their development and performance and meeting OPM qualification requirements for the higher graded position. Upon completion of the Program, students will be eligible for noncompetitive conversion into GS-4 or GS-5 support staff positions if they meet the qualification requirements and the following criteria:

1. Student has successfully completed all of the requirements for his or her diploma, certificate, or degree in his or her field of study,
2. Student has completed, before graduation, a minimum of 16 weeks or 640 hours of NLRB work experience.
3. Student meets the citizenship, suitability, member-of-the-family requirements¹, and other OPM requirements on the date of the recommendation for hire.
4. The student is converted by the 120th day after completion of his or her degree requirements.

If a decision is made to employ a support staff co-op student, the student will count against the Region's support staff ceiling. Therefore, the Region must have a support staff hire authorization. Attached is a sample support staff cooperative education agreement.

If you should have any questions regarding this program, please contact your Assistant General Counsel, Deputy, or myself.

/s/
R. A. S.

Attachment

¹ Title 5, Chapter I, Part 310, Subpart A, Restrictions on the Employment of Relatives.

NATIONAL LABOR RELATIONS BOARD

Student Career Experience Program Agreement (Support Staff Cooperative Education Program)

General:

This agreement forms an understanding between the National Labor Relations Board, hereinafter referred to as NLRB, and

_____ for a Student Career Experience Program (Support Staff Cooperative Education Program) involving one or more periods of planned work experience in Region _____, with the NLRB and related study at the aforementioned institution. This agreement may apply to one or more support staff cooperative education students.

Definition:

The Student Career Experience Program (Support Staff Cooperative Education Program) provides an integration of academic study with practical work experience and on-the-job training in an organized program. The employment and on-the-job training phases of the Program constitute a regular, continuing, and essential element of the educational process so that the student is better prepared for permanent employment.

Description of the Work:

The duties of this position will be to participate in a special training program consisting of planned on-the-job training with the NLRB and study at the aforementioned institution. During work periods, students will work under close supervision and will assist by performing duties with repetitive performance of routine duties held to a minimum. The difficulties and responsibilities of the work will vary with the grade level of the position.

NLRB's Responsibilities:

The NLRB will provide realistic and meaningful work assignments as part of the Student Career Experience Program (Support Staff Cooperative Education Program). In this regard the NLRB will:

1. Provide the services of _____ to act as the NLRB coordinator for the student(s).
2. Inform the institution of work experience opportunities as they become available.
3. Inform the institution of the student's progress, performance and potential.
4. Select from nominations made by the institution and notify the institution of the selection or nonselection of candidates.
5. Perform all personnel processing related to employment of the student.
6. Provide supervision and counseling to each student to orient him or her to the occupation and work setting.
7. Notify the institution of intent to drop a student because of unsatisfactory progress or interest, conduct or failure to meet standards.
8. Consider students without regard to race, color, sex, age, national origin, marital status, politics or any other nonmerit factor.

Institution's Responsibilities:

1. Provide the services of _____ to act as a representative to work with the NLRB.
2. Inform all prospective candidates of NLRB work experience opportunities.
3. Refer all candidates including all honorably discharged veterans who express an interest in being referred to the NLRB.
4. Furnish the NLRB with requested data or information, which the institution is authorized to release, on appointees or prospective appointees.
5. Notify the NLRB promptly of any change in student status.
6. Work to strengthen the relationship between study and work assignments.
7. Nominate students without regard to race, color, sex, age, national origin, marital status, politics, or any other nonmerit factor.

Student Eligibility Requirements:

The basic requirements and grades for student trainee positions are as follows:

1. The definition of student is an individual who is enrolled or accepted for enrollment as a degree (diploma, certificate, etc.) seeking student and is taking at least a half-time academic/vocational or technical course load in an accredited high school, technical or vocational school, 2 year or 4 year college or university.
2. The student selected must have demonstrated above average ability or potential to the degree that he or she is considered a quality student by the institution either by satisfying the quality standards applied by the institution for entrance into the Student Career Experience Program (Support Staff Cooperative Education Program) or is considered very likely to perform in a highly successful manner based on total qualifications including achievements, demonstrated ability, motivation, and personal characteristics.
3. A student trainee may enter the Program as a GS-2, GS-3 or GS-4 depending on his or her education and experience. Student trainees may be promoted to the next higher grade level in the program depending on their development and performance and meeting OPM qualification requirements for the higher graded position. Student trainees may be promoted up to GS-5 while in the Program.
4. On-the-job training must be in the same field and be directly related to the educational specialization of the student.
5. A student must be lawfully admitted to the United States, as a permanent resident or otherwise authorized to be employed; however, student must be a U.S. citizen by the time eligible to be non-competitively converted to a career-conditional appointment.

Length of Work, Appointment and Type of Appointment:

Students employed under this Program must work a minimum of 16 weeks or complete 640 hours of employment. This employment may consist of one or more work periods. Students will be compensated at the appropriate grade level depending on their experience and education.

Students may work full-time or part-time schedules. A student may work up to 40 hours per week but the student's work schedule should not interfere with the student's academic schedule.

The student will be carried on leave without pay status by the NLRB during all non-work periods. All appointments will be for a period not to exceed 120 calendar days following satisfactory completion of the requirements for a diploma, certificate, or degree. The work experience must be completed prior to or concurrently with the completion of the requirements for the diploma, certificate, or degree. All appointments shall be in the Excepted Service under Section 213.3202(b) of Schedule B of the Office of Personnel Management regulations.

Retention:

Students are required to satisfy both the academic standards of the institution and work performance standards of the NLRB. Students who fail to maintain these standards shall be dropped from the Program. Students who discontinue their education before completing their educational requirements will be terminated from the work experience program.

Pay Benefits:

Students will earn sick leave and annual leave during their periods of employment. They will also be paid for all Federal holidays which occur during their regular scheduled tours of duty. Compensation, hours of work, and other conditions of employment will be established in conformance with the applicable Office of Personnel Management and NLRB guidelines. For students appointed for a period of at least 1 year, participation in the Federal Employees Retirement System is mandatory. Health and life insurance will be available at the option of the student, provided they are appointed for a period of at least 1 year and they are in pay status for at least one third of the total time required to complete the program.

The work period, whether it is for one or two periods, is a trial period during which the student's abilities and performance are monitored and evaluated. At the completion of the work period(s) there will be a formal appraisal made of the student's performance which will be discussed with the student. The appraisal will include a recommendation for conversion or non-conversion to a career-conditional appointment. When a decision is made with regard to

conversion by the appropriate authority, both the student and the program coordinator shall be notified as promptly as possible.

Appointment Upon Completion of Education:

The NLRB is under no obligation to convert a student to a career-conditional appointment in a support staff position upon completion of the Program. However, if a determination is made to offer a non-competitive conversion to a Student Career Experience Program student (Support Staff Cooperative Education student), the student must meet the following eligibility requirements in order to be appointed to a career-conditional appointment either as a GS-4 or GS-5 support staff person for which he or she meets the qualification requirements in the field of work in which he or she received his or her training, if the following conditions are met:

1. Student has successfully completed all of the requirements for his or her diploma, certificate, or degree in his or field of study.
2. Student has completed a minimum of 16 weeks or 640 hours of employment in the NLRB work experience program.
3. Student meets the citizenship, suitability, member-of-the-family requirements, and other U.S. Office of Personnel Management requirements on the date of the recommendation for hire.
4. The National Labor Relations Board recommends the student for conversion within 120 days after completion of his or her requirements for a diploma, certificate, or degree.

Agreement Review and Termination:

The terms and conditions of this agreement are subject to any changes in OPM rules or regulations. This agreement may be amended, superseded or otherwise modified at any time as required by mutual consent and agreement of authorized representatives of both parties.

This agreement, which is effective upon the date signed by the NLRB representative, may be dissolved upon six (6) months advance notice.

This agreement shall be void if there has been no student from the university employed during a 12-month period.

As a representative of the National Labor Relations Board, I approve the terms of this agreement and pledge the support of the National Labor Relations Board in fulfilling this agreement.

(Signature)

(Date)

(Type or Print Name)

(Title)

As a representative of _____, I approve the terms of this agreement and pledge the support of _____ in fulfilling this agreement.

(Signature)

(Date)

(Print or Type Name)

(Title)